

REMARKS

Claims 21-24, 28, and 30-35 are pending in this application. Claims 21-24 and 29-33 stand rejected. By this Amendment, claims 21 and 33 have been amended and claims 34 and 35 have been added. No new matter has been added. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 23 and 33 are objected to. Applicant has amended claims 23 and 33 in light of the Examiner's objections. Therefore, Applicant respectfully requests reconsideration and withdrawal of the objections.

Claims 21-23, 29, and 30 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,183,031 ("Rossoff"). Additionally, claims 21, 22, 24, and 28 stand rejected under 35 U.S.C. § 102(d) as being anticipated by U.S. Patent No. 5,873,814 ("Adair"). Finally, claims 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rossoff in view of U.S. Patent Publication No. 2003/0045778 ("Ohline") and separately over Adair in view of Ohline. Applicant respectfully traverses all of these rejections.

As explicitly recited in the pending claims, the structure of the present invention has a channel for inserting a treatment instrument from the bottom of a grip portion to a distal end of the insertion section. A treatment instrument is inserted into the channel from the insertion opening provided at the bottom of the grip portion and extends out from the open end on the distal end side. None of these cited references disclose this explicitly recited limitation.

None of the references, Rossoff, Adair, and Ohline, disclose an insertion opening (an open end on the proximal distal side) provided at the bottom of the grip portion. Rossoff discloses the position of an open end in which a syringe board is provided on the upper end of the clip. None of the other references disclose the channel for inserting from the bottom of the grip portion. As such, the invention explicitly recited in Applicant's claims is not disclosed. Therefore, Applicant respectfully requests reconsideration and withdrawal of the pending rejections under 35 U.S.C. §§ 102 and 103.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By 

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